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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/766,402	01/19/2001	Wyly Wade	39237/198174	7298

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ForeFront Technologies, Inc.
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EXAMINER
VU, THONG H

ART UNIT	PAPER NUMBER
2142	8

DATE MAILED: 05/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspond nce address --

P riod for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 January 2001*.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *19 January 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

1.   Claims 1-18 are pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-10 and 13-18 are rejected under 35 U.S.C. § 102(e) as being

anticipated by Landsman et al [Landsman 6,314,451 B1]

3.   As per claim 1, Landsman discloses a method of providing presentations (i.e.: an

advertisement) to a user node over the Internet, comprising:

providing a presentation instructions data file (i.e.: Ad controller), the presentation

instructions data file including content (i.e.: text, audio, video) and instructions (i.e.: Ad

descriptor file) on presenting the content [Landsman, Ad controller agent selected

advertisement, downloaded and subsequently presented, col 16 line 55-col 17 line 23,

col 25 lines 30-67] download a HTML code includes tag;

providing a presentation engine (i.e.: Transition Sensor applet) with functionality

common to a plurality of different presentations (i.e.: different advertisements), the

functionality including at least functions of receiving the presentation instructions data

file, running the instructions associated (i.e.: Ad Descriptor file) with the presentation

instructions data file, and playing the presentation [Landsman, Transition Sensor applet

supplies Ad controller applet with an Ad Descriptor file, col 27 lines 49-65] ;

receiving a request from a user node for the presentation;

selecting the presentation from the plurality of different presentations;

determining if the user node has the presentation engine; if the user node does

not have the presentation engine, then delivering the presentation engine to the user

node; delivering the presentation instructions data file to the user node for the

presentation [Landsman, ensure the executable code for the transition sensor applet , if

previously downloaded into the browser cache has not been superseded by an updated

version, If the updated version existed, the browser updated it, col 13 lines 1-25;

determine If an updated version of the Ad controller has not been downloaded to the

browser, col 20 lines 40-60];

if the user node has the presentation engine, then delivering the presentation

instructions data file to the user node for the presentation; wherein the presentation

engine is delivered to the user node only if the user node does not have the

presentation engine, whereby a total amount of data sent to the user can be reduced

[Landsman, reducing download time, col 22 lines 4-26].

4.   As per claim 2, Landsman discloses the presentation engine comprises a Java

applet [Landsman, Java applets, col 20 line 60-col 21 line 12].

5.   As per claims 3-7,14,15 Landsman discloses the presentation instructions data

file comprises text, script, audio, video, images [Landsman, text, col 1 line 60; audio,

video, col 4 lines 7; multimedia, col 5 lines 55-60; col 7 lines 28-42; col 25 lines 34-39].

6.   As per claim 8, Landsman discloses delivering the presentation instructions data

file comprises encrypting (i.e.: compression) the presentation instructions data file

[Landsman, compression form, col 6 lines 46-67; col 7 lines 28-42].

7.   As per claims 9 and 10, Landsman discloses delivering the presentation

instructions data file comprises delivering a single file and a plurality of files as inherent

feature of delivery advertisement file on Internet which includes text, audio, video or

image [Landsman, text, col 1 line 60; audio, video, col 4 lines 7; multimedia, col 5 lines

55-60; col 7 lines 28-42; col 25 lines 34-39].

8.   As per claims 13 and 17, Landsman discloses determining information about the

user node and selecting the presentation based on the user information, selecting the

presentation based on the user node, selecting the presentation from a series of related

presentations as inherent feature of Internet.

9.   As per claims 16, Landsman discloses the presentation engine includes

functionality for verifying (i.e.: identifying) that the user node received the presentation

[Landsman, Transition Sensor applet identifies both the agent server and source

components, col 18 lines 52-col 19 line 2]

10.   As per claims 18, Landsman discloses selecting the presentation from a series of

related presentations [Landsman, a series of Web pages, col 8 lines 41-67]

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

11.   Claims 11-12 are rejected under 35 U.S.C. § 103 as being unpatentable over

Landsman et al [Landsman 6,314,451 B1] in view of [Guedalia [6,356,283 B1].

12.   As per claims 11 and 12, Landsman discloses the application programs

exchange commands and data with the external sources via network connection.

However Landsman does not detail sending an initialization command for causing the

user node to open a second channel to receive the presentation and issue the request

for the presentation.

It was well-known in the art that a browser with multi threads function could open

a second channel (or connection, link, window) which provide a second view to user

[see Guedalia,Goldberg references].

Therefore, it would have been obvious to one having ordinary skill in the art at

the time the invention was made to incorporate the Server dynamic HTML system

enables a user view a digital image by using interact command by sending a HTML

page to the user via a second channel [Guedalia, second channel, col 13 lines 42-59;

col 14 line 61- col 15 line 5; col 22 line 62-col 23 line 9]. Doing so would provide a

dynamic and reliable, efficient process to delivery multimedia data to Web client.

13.   Any inquiry concerning this communication or earlier communications from the
examiner should be directed to examiner Thong Vu, whose telephone number is (703)-305-4643.
The examiner can normally be reached on Monday-Thursday from 8:00AM- 4:30PM.

       If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, *Jack Harvey*, can be reached at (703) 305-9705.

       Any inquiry of a general nature or relating to the status of this application should be
directed to the Group receptionist whose telephone number is (703) 305-9700.

       Any response to this action should be mailed to: Commissioner of Patent and
Trademarks, Washington, D.C. 20231 or faxed to :

                         After Final   (703) 746-7238
                         Official: (703) 746-7239
                         Non-Official   (703) 746-7240

       Hand-delivered responses should be brought to Crystal Park 11,2121 Crystal Drive,
Arlington. VA., Sixth Floor (Receptionist).

Thong Vu
Patent Examiner
Art Unit 2142